EASTERN RESEARCH GROUP, INC.

M E M O R A N D U M

TO: Fred Porter, U.S. Environmental Protection Agency

FROM: Chad White and Ruth Mead, Eastern Research Group

DATE: January 27, 1997

SUBJECT: Final Summary of January 8-9, 1997, Industrial Combustion Coordinated Rulemaking Coordinating Committee Meeting

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1.0 INTRODUCTION AND PURPOSE OF MEETING

The January 8 and 9 meeting of the Coordinating Committee for the Industrial Combustion Coordinated Rulemaking (ICCR) project was the second meeting of the congressionally chartered Federal Advisory Committee Act (FACA) committee. The purpose of this meeting was to discuss the ICCR information collection plan (ICP) and the ICCR document. The goals of this meeting, with respect to the ICP, were to understand the information collection activities recommended by each Work Group, to agree on an overall coordinated ICP, and to provide guidance to the Work Groups for the ICP. The goals of this meeting, with respect to the ICCR document, were to discuss the revisions recommended by the subcommittee reviewing the document and to adopt the document as a blueprint for the ICCR process. A copy of the meeting agenda and a copy of these goals are included in attachment 1. A copy of the attendance lists for the meeting is included in attachment 2.

The remainder of this meeting summary is organized in the following sections:

2.0 Discussion with Mary Nichols

3.0 Administrative Details
4.0 EPA Database and Information Collection
5.0 EPA Overview of Fiscal Year 1997 ICCR Activities
6.0 EPA Budget and Resources for 1997
7.0 Work Group Status Reports
8.0 Data Collection
9.0 Review of ICCR Document
10.0 Public Comments
11.0 Discussion of Next Meetings

2.0 DISCUSSION WITH MARY NICHOLS

The meeting was begun with an introduction by Mary Nichols, the EPA Assistant Administrator for Air and Radiation. Ms. Nichols emphasized the importance of cooperative regulatory development and EPA's commitment to involving everyone in the ICCR process. EPA appreciates the expertise and commitment to participating by all the stakeholders and believes that this assistance will help in the development of more efficient regulations in the least burdensome manner possible.

Ms. Nichols explained that combined issues of air pollution reduction and energy use are top priorities for the current EPA administration. In an attempt to put this strategy in context, Ms. Nichols explained that, in the early days of regulatory development, emission reductions, not energy efficiency, were the singular focus of regulatory development. Today energy efficiency is increasingly more important, and, although the United States has become more energy efficient over time, as a nation we are still the world's largest energy consumer. When developing regulations, EPA needs to consider the United States' position in the world and its impacts on the global climate as well as desired pollution reductions. As a country, we should develop control techniques and pollution prevention options that can be used domestically and can be exported to the rest of the world.

Ms. Nichols related that EPA spent the first few years after amendment of the Clean Air Act (Act) in 1990 with a focus on regulatory development. Now that titles I, III, and V of the Act have been implemented, the administration recognizes the need to integrate activities under these titles and has been engaged in efforts to achieve this integration. EPA Office Directors have been working to think more broadly and develop programs that both make sense and clean the air. EPA has set a goal to continue improving the quality of air while coordinating among its air programs and emphasizing more of an "across-the-board" approach to regulatory development. Ms. Nichols framed the ICCR in the context of these goals and said that this cooperative regulatory development effort will help EPA determine how best to develop future regulations.

To address the role of technological innovation regulatory development, Ms. Nichols offered to have a representative from EPA discuss innovative strategies with the Coordinating Committee. She encouraged the committee to think as boldly as possible and to develop innovative methods to reach the ICCR goals.

Ms. Nichols explained that, although there will inevitably be change with time, the goal of the ICCR is to develop a set of regulations that will not need to be revised in the near future. However, we are always limited by the technology that is currently available. Standards may change and become more stringent over time, but, by involving a representative cross-section of stakeholders, EPA hopes the ICCR will examine the needs for the ICCR combustion categories, look at the various opportunities for improvement, and then develop standards.

2.1 Coordinating Committee Comments and Questions

John Fanning stated that the best control of emissions is good combustion practice by skilled equipment operators. He

encouraged the certification of operators as a method of ensuring efficiency. However, Mr. Fanning suggested that no approach be implemented unilaterally.

Atly Brasher expressed gratitude for the inclusion of State regulators in the ICCR and said that allowing States to participate in the development of federal regulations is beneficial. However, participation is difficult because of limited State resources. Mr. Brasher pointed out that only a few States have been able to make the commitment to send representatives to meetings.

Bob Palzer expressed gratitude for the inclusion of environmental representatives in the ICCR. He encouraged the ICCR to focus on the public health benefits of pollution reduction and on the wise use of resources. Mr. Palzer also encouraged the ICCR to use an integrated and coordinated approach to abatement of both criteria pollutants and hazardous air pollutants (HAPs).

Miriam Lev-On emphasized the importance of energy efficiency and wise energy use to the energy community. Ms. Lev-On expressed the need to develop integrated regulations as a way to reduce the burden of compliance on industry and asked that economics be taken into account when considering the benefits to public health of various pollution reduction strategies.

Steve Gerritson thanked EPA for its progressive economic approaches (e.g., emission trading in addition to command-and-control) and for the involvement of all stakeholders in the regulatory development process.

Peter Caroll asked if the Coordinating Committee should try to make the connection with energy efficiency and global climate as the ICCR regulatory recommendations are developed. Ms. Nichols affirmed this goal.

Ross Vincent suggested that the most significant environmental advances come from technological innovation. He expressed desire for a real incentive for continued innovation as a part of the ICCR. He asked Ms. Nichols how EPA is encouraging technological innovation in the regulatory development process and as a means of pollution abatement.

Paul Eisele stated his apprehension about the effect of the ICCR regulations on small businesses. Mr. Eisele also expressed concern about the breadth of the ICCR regulations, which may cover millions of boilers and other combustion sources, both small and large, that burn various fuels. Even though the ICCR is a large endeavor, most small businesses are not aware of the day-to-day working of the federal government or of changes to existing regulations. He asked for EPA's insight on how the ICCR Coordinating Committee will be interacting with larger EPA programs and goals, such as the national ambient air quality standards or the ozone standards.

Charles Keffer expressed appreciation for EPA's coordinated approach to regulation. Coordinated regulatory development, although a daunting task, encourages regulatory consistency that facilitates compliance.

3.0 ADMINISTRATIVE DETAILS

Fred Porter of EPA reviewed some administrative details EPA needed to present to the Coordinating Committee as well as EPA action items from the last Coordinating Committee meeting. These topics are summarized in the succeeding sections.

3.1 Membership Issues

Fred Porter presented the Coordinating Committee with a list of nominations recommended by EPA for membership on various Work Groups (attachment 3). EPA had reviewed these nominations and found the nominees to meet the criteria in the ICCR document.

The Coordinating Committee approved the EPA-recommended nominees for membership on the Work Groups. EPA will place the updated membership lists on the Technology Transfer Network (TTN).

Fred Porter informed the committee that EPA has received several nominations for alternates for Coordinating Committee members. He asked that anyone else who would like to submit a nomination do so as soon as possible. These nominations will be forwarded to the EPA Deputy Administrator for signature in mid-January. Nominations for alternates that are received later will be forward to the Deputy Administrator at a later date.

In the future it is envisioned that each Work Group stakeholder co-chair will be selected and approved by EPA as a member of the Coordinating Committee. Acknowledging that formal approval from EPA administration has not yet been received, Mr. Porter asked that the Coordinating Committee representative from each Work Group and a nominated Coordinating Committee member alternate be allowed to sit at the table and participate in the January 8 and 9 meeting.

When asked about the balance of representation resulting from addition of the Work Group stakeholder co-chairs, Leslye Fraser of EPA responded that part of the membership selection process involves EPA review of the balance of representation. The criteria for representation does not rely on a numerical balance but on the ability of all voices to be heard. The Work Group stakeholder co-chairs will serve on the Coordinating Committee as representatives of their Work Groups, not just as representatives of their stakeholder groups.

The Coordinating Committee agreed to allow the Work Group representatives and nominated Coordinating Committee member alternates to sit at the meeting table. The new participants were introduced and are listed in table

Table 1. Work Group Stakeholder Co-chairs and Member Alternates Invited to Sit at the Table.

Name	Position
Alison Ling	Coordinating Committee Alternate Nominee for Elsie Munsell
Norman Morrow	Interim Representative from the Incinerator Work Group
Ted Guth	Turbine Work Group Stakeholder Co-chair Nominee
Jim Stumbar	Interim Representative from the Boiler Work Group
Vick Newsom	IC Engine Work Group Stakeholder Co-chair Nominee
Dennis Knisley	Testing and Monitoring Protocol Work Group Stakeholder Co-chair Nominee
Lee Gilmer	Process Heater Work Group Stakeholder Co-chair Nominee
Paul Eisele	Interim Representative from the Economic Analysis Work Group (already a member of the Coordinating Committee)

1.

3.2 EPA Action Items

Fred Porter provided a follow-up report on several ICCR action items: airline travel discounts, a listserver for the TTN, and the use of video teleconferencing. EPA prepared surveys on airline travel discounts, which were made available for attenders to fill out at the meeting (attachment 4). The listserver, designed to inform interested parties of postings to the TTN, is in operation. The listserver is not set up for file distribution, only for announcements of new items on the TTN. Any Work Group or Coordinating Committee members who have already given EPA their email addresses are subscribed and should have received notice about recent TTN postings. Any parties wishing to subscribe or unsubscribe should contact Fred Porter.

Mr. Porter also provided information about televideoconferencing. A televideoconference costs $200 per hour per site. If a 6-hour meeting were held at 6 sites, the cost

would be $7,200. At this expense, EPA has determined that it is cheaper for EPA to send representatives to a face-to-face meeting than to pay for a videoteleconference. However, if a smaller group (e.g., a Work Group) would like to try using televideoconferencing and can determine how to fund the meeting cooperatively, EPA encourages them to try and would agree to share expenses. Miriam Lev-On offered her insight from previous experience with televideoconferences. She said that a face-to-face meeting works better if more than three televideoconference locations are needed and the meeting will last longer than two hours.

4.0 EPA DATABASE AND INFORMATION COLLECTION

Brahim Richani of Alpha Gamma Technologies, Inc. gave a presentation about the database of ICCR combustion sources (ICCR database) being developed by EPA. Copies of materials used in this presentation are included in attachment 5.

In his presentation, Mr. Richani reviewed that EPA has developed a Microsoft Access-based database and has initially compiled data in this database from the AIRS, OTAG, and some State databases. In addition, Mr. Richani reviewed that there are 400 toxic emission test reports available for ICCR combustion sources from the source test information retrieval system (STIRS), which indexes a compilation of scanned toxic emission test reports. Data from these reports is being compiled into the ICCR database as well.

Bill O'Sullivan asked that the database be designed to contain fields for energy-specific information so that the pollution can be evaluated in terms of the amount of energy used (i.e., allow for data on both heat input and heat output of the emission source). Mr. O'Sullivan emphasized the importance of including collection of these data as a part of the overall ICP.

Dick Van Frank asked for which toxics test reports are available and what percent of the total number of sources in the database this represents. Mr. Richani responded that most of the reports have data on only a few pollutants, such as benzene, toluene, ethylbenzene, or xylene (BTEX). The number of sources represented by the test reports constitutes a relatively low percentage of the combustion units in the database.

Russ Mosher asked how recent the data in the database are. Mr. Richani responded that the database contains a data field, which indicates the data source and that date that data was compiled by or submitted to that source. This information is the best way to assess the age of the data.

Miriam Lev-On expressed concern about the use of source classification codes (SCCs) to organize the ICCR database, particularly because the SCC definitions do not match the ICCR definitions for the various source categories. Fred Porter responded that the SCCs are contained in AIRS and OTAG. At this point, EPA has only been collecting and organizing data. Mr. Porter suggested that the Work Groups examine the data compiled by EPA and determine if the groupings are appropriate. Norman Morrow agreed and said that, because the SCCs are often arbitrarily assigned to facilities, the Work Groups will need to examine the categorization of the units. Mr. Morrow added that, perhaps as an activity to be conducted in parallel to information collection, the Work Groups should review the data in the database to ensure that information is current and correct.

Several Coordinating Committee members questioned how worthwhile it is to compile data from the databases EPA has been examining. Rich Anderson suggested that the data from AIRS and OTAG may not fulfill all of the ICCR's data needs because the data are not complete and have not undergone an appropriate level of quality assurance checks (QA). Conversely, Alex Johnson

agreed with EPA that these data should be compiled to evaluate what data are available. He asked that during data compilation EPA retain a reference ID from the data source so that any information compiled in the ICCR database can be tracked to its origin.

Fred Porter responded that these issues raise an important question: should information collected from the ICCR data gathering efforts be compiled with the ICCR database as it currently exists? Mr. Porter suggested that Work Groups should decide how to integrate the results of their data collection efforts with the existing ICCR database.

Bob Morris asked that the list of SCCs in the ICCR database and the STIRS reports be placed on the TTN. Fred Porter agreed to put the SCC list on the TTN along with an EPA document describing the SCCs. The most current list of SCCs is attached (see attachment 5). Because the STIRS reports are contained on several CDs, putting them on the TTN is not a viable option. As an alternative, Mr. Porter agreed to put information about where copies of the CDs could be obtained and an index of the STIRS reports on the TTN.

5.0 EPA OVERVIEW OF FISCAL YEAR 1997 ICCR ACTIVITIES

Fred Porter of EPA presented and reviewed the ICCR information collection timeline envisioned by EPA (attachment 6). To meet the statutory schedule for the source categories that are part of the ICCR, EPA hopes to collect and compile the data needed by the end of August of this year. Contingent on this first goal, EPA would like to make these data publicly available for distribution in September. In light of these goals, EPA has dubbed 1997 the "Year of Information Collection" for the ICCR and asks that the Coordinating Committee and Work Groups strive to meet the schedule.

From the timeline, Mr. Porter reviewed the Information Collection schedule. EPA encourages and is willing to accommodate voluntary information collection by various organizations and the Work Groups in 1997, provided that the information collection efforts meet the same criteria as EPA-administrated data gathering. Mr. Porter reviewed the criteria voluntary information collection efforts must meet to be equivalent to EPA data gathering: 1) information collected must be the same type and quality; 2) information must be collected in the same timeframe as EPA and must match the electronic format of the ICCR database; 3) the data sample must be representative; and 4) progress reports must be provided as check points to allow judgement of the likelihood of success of information collection and to allow action to be taken in a timely manner if information collection efforts are not succeeding. These criteria should be fairly easy to meet provided that voluntary information collection efforts are well organized and well administrated.

Mr. Porter then reviewed the Database Development/Release schedule from his presentation material. The ICCR database structure was designed in fiscal year 1996. In 1997 EPA hopes to compile information in the database. EPA is on schedule for the January release of the ICCR database containing the merged AIRS and OTAG databases. Additional State population inventory information from States with more comprehensive databases than what is submitted to AIRS and OTAG will be added by the end of March. Also by the end of March, EPA expects to have loaded the approximately 400 toxic emission test reports from the STIRS database into the ICCR database. A second version of the database will be released around the end of March. Data collected through surveys, with an anticipated receipt date of the end of May, will be loaded into the database by the end of August. The complete database is scheduled for release by the

end of September. The overall goal of this entire effort is to develop a database for use in regulatory development.

Also from the timeline, Mr. Porter reviewed the Work Group Activities anticipated for 1997. Most of the immediate activities (through February 1997) are focused on developing and assisting the information collection efforts. After initial data gathering is conducted, EPA envisions the Work Groups using the compiled data (from the first or second releases of the database) to refine the source category definitions as a means of focusing additional data gathering efforts (e.g., determining the sizes and types of combustors to focus on as the most significant sources of emissions). Likewise, after initial data have been collected, the Work Groups, paying particular attention to where emission test data are lacking, will need to focus on identifying data gaps and should try to identify initial emission testing needs. In March, after the source category definitions have been somewhat refined, the Work Group should begin thinking about how to collect emission data from the facilities identified during the first phase of data collection. Because most voluntary information collection plans are not designed to collect detailed cost data, the Work Groups will need to start collecting cost information, which may be requested from equipment vendors, and developing cost procedures in the spring and summer of 1997. At the end of fiscal year 1997, once data gaps have been clearly identified and host facilities have been chosen, emission testing should begin.

Mr. Porter emphasized the importance of meeting the overall schedule EPA has prepared. He asked that the Coordinating Committee keep the overall schedule in mind when listening to the Work Group progress reports and information collection plans. Plans that make small deviations from the EPA schedule can be

accommodated, but large deviations are not feasible or acceptable to EPA.

In response to an inquiry, Mr. Porter reviewed the status of the industrial commercial waste incinerator (ICWI) litigation. He stated that the litigants are very interested in the ICCR concept and are pleased with the information collection approach. The litigants have agreed to a one-month extension of their deadline (to February 15, 1997), but they expect EPA to provide a definitive, developed ICP at their meeting at the end of January. Because EPA intends to conduct a coordinated information collection effort for the ICCR as a whole rather than a separate effort for ICWI, Mr. Porter emphasized the importance of moving forward quickly with all information collection in the ICCR so that the ICWI schedule can be met. Although the litigation is only for the ICWI category, EPA considers ICWI to be an integral part of the ICCR and to exist with the same issues, with the same potential for duplicative regulation, in the same industries, and at the facilities as other ICCR source categories. Mr. Porter also emphasized that the overall ICCR schedule is not driven by the ICWI litigation but by the Clean Air Act. The timeline in section 6 of the ICCR document shows that, to meet the statutory deadline of the year 2000, information must be collected in the timeframe presented.

Rich Anderson asked whether questionnaires will be sent to all ICCR source categories by the February 15 deadline from the ICWI litigation. Fred Porter responded that EPA is under constraints to collect information on ICWI according to the schedule set down in the litigation. EPA's believes that juxtaposing information collection for all the ICCR source categories is necessary and that the joint information collection will work better than separate section 114 ICRs. Lee Gilmer expressed concern that, in the event that the API voluntary

information collection plan is not ready by February 15, section 114 questionnaires will preclude data gathering efforts made by the trade associations and waste much of the time and the resources that industry has invested in the ICCR effort.

Miriam Lev-On commented that she does not believe that ICWIs are as ubiquitous or as integrated at facilities as EPA is alleging. Ms. Lev-On agreed that ICWI should be included in the ICCR. However, to avoid the ICWI litigation from driving the ICCR schedule, Ms. Lev-On suggested that the Coordinating Committee examine methods of decoupling ICWI data gathering from the information collection efforts for the rest of the ICCR. Fred Porter responded that EPA is not implying that ICWIs are universal or numerous but that ICWIs cannot be separated from the other ICCR combustion sources easily.

Robert Welch commented that the ICCR schedule presented by EPA looks very ambitious and not very feasible. In particular, Mr. Welch commented that the three months that EPA has allocated for addressing data gaps is too little time to review the collected information, assemble it, identify data gaps, request additional data, and receive the information back. Fred Porter responded that work can be done now to address certain data gaps to allow the flexibility to investigate others that are identified later in the process. Some data gaps (e.g., the lack of toxic emission test reports for small incinerators used at poultry farms) are obvious. Other data gaps can be anticipated now based on a review of the data from the STIRS database. The next fiscal year can also be used to address additional data gaps identified during information collection. The STIRS data (i.e., the scanned complete test reports) can be made available on compact disc (CD) (a series of over 30 CDs) if anyone would like a copy. EPA's impression is that most interested parties would

prefer to see the data from STIRS after EPA's contractors have compiled the information.

Dick Van Frank, anticipating that vendors would not be able to provide operating cost data, asked how cost data could be collected if it is not provided by facilities. Fred Porter responded that EPA is confident in the Work Groups' expertise to review vendor efforts and to obtain the necessary economic data. Lee Gilmer added that API, who has developed a voluntary information collection plan, has hired an economic consultant to help plan cost data gathering and is willing to share the results of their efforts. Although Mr. Van Frank's concern was directed at collection of data from smaller industries, Mr. Gilmer felt that the similarities among combustor types will allow the plan developed by API to collect cost information across both large and small industries.

Miriam Lev-On expressed concern about the potential for launching a massive questionnaire effort before compilation and a review of the State inventory data is completed. Her concerns stemmed from the potential redundancy of information collection efforts and the efficient use of ICCR resources. Fred Porter responded that the merging of the AIRS, OTAG, and State databases was performed to compile existing and readily available information and may not provide full information. Based on EPA experience, information from both internal and external EPA sources needs to be compiled.

6.0 EPA BUDGET AND RESOURCES FOR FISCAL YEAR 1997

Fred Porter of EPA presented the EPA fiscal year budget for the ICCR project for 1996 and 1997 and the anticipated ICCR expenses. A revised copy of the material from this presentation is included in attachment 7.

EPA is taking the budget and the ICCR effort seriously. Mr. Porter emphasized that EPA has been frontloading the ICCR effort financially. Arriving at this point in the process has already expended great time and effort on the part of EPA and companies involved in the transition process. EPA management wants to give the ICCR process every opportunity to succeed and is spending its funds at a high rate.

Mr. Porter highlighted some of the expenses anticipated for fiscal year 1996 and 1997. He emphasized that the total budget exceeds EPA's funds and that EPA and the Coordinating Committee must decide how to run the ICCR more efficiently or how to leverage more funds. In 1996 EPA spent a total of $680,000 to begin the ICCR process. In 1997 EPA anticipates a shortfall of over $1 million, assuming that two-thirds of the meetings are held in the Research Triangle Park, North Carolina, area and assuming that there are six Coordinating Committee meetings and ten meetings of each Work Group. The total budget for 1997 does not include the costs of emission testing, which is difficult to estimate without identification of data gaps but which EPA anticipates costing around $1 million or more. The EPA has some money to fund future testing but not enough to cover the costs of the HAP testing needed to fill likely data gaps.

Ross Vincent asked which costs in the ICCR budget are immutable and would be incurred by EPA even if a coordinated rulemaking approach with a FACA committee were not used. Fred Porter responded that all expenses from ICCR operation (e.g., travel and meeting costs) would not be incurred but added, in his personal opinion, that EPA might not be able to meet the statutory schedule if individual regulatory development projects for each of the ICCR source categories were conducted.

Jed Mandel commented about the amount of information being distributed to the Coordinating Committee at the meetings. In

his opinion, the committee members are not being given sufficient time to review the material and provide advice to EPA or guidance to the Work Groups. Mr. Mandel believed that EPA's schedule could be met, or even accelerated, if the Coordinating Committee were given the opportunity to review material prior to the meetings and to come to the meetings with recommendations. He reiterated that the major emphasis of the Coordinating Committee should be on giving advice, not receiving reports and discussing ICCR protocols.

Robert Welch stressed the importance and the advantages of the involvement of stakeholders in the ICCR. Money needs to be made available to allow all public interest groups to travel to and participate in the meetings. Having all voices heard is very valuable and can help avoid future litigation of the rule. Mr. Welch agreed with Mr. Mandel that the Coordinating Committee needs to provide advice to the Work Groups. He suggested forming and ad-hoc group to investigate and provide recommendations about any budgetary concerns.

After this discussion, the Coordinating Committee established an ad-hoc budget subgroup with the task of examining the projected budget for the ICCR. This subgroup is tasked to provide recommendations to the Coordinating Committee about how to proceed with the ICCR efforts. These recommendations should include suggestions for an ICP that is scientifically sound and matches the project budget. The people listed in table

Table 2. Ad-hoc Budget Subgroup Conference Call Participants

Name	Affiliation
Richard Anderson	Wheelabrator
Steven Gerritson	LAPCO
Robert Kaufmann	American Forest and Paper Association
Chuck Keffer	Monsanto Co.
Miriam Lev-on	ARCO
Robert Morris	The Coastal Corporation
Marvin Schorr	General Electric
Dick Van Frank	Audobon Society
Robert Welch	Columbia Gas Systems Service Co.
Ross Vincent	Sierra Club
Sims Roy	EPA

Alpha Gamma and ERG will also participate to provide technical information

2 agreed to participate in a conference call to discuss ICCR budget concerns. EPA will schedule a conference call for the ad-hoc budget subgroup and announce the time and date via email.

7.0 WORK GROUP STATUS REPORTS

Each of the seven Work Groups reported to the Coordinating Committee at this meeting with the status of their activities. These reports are summarized in the succeeding sections.

7.1 Reciprocating Internal Combustion Engine (IC Engine) Work Group

Vick Newsom, the Work Group Stakeholder Co-chair nominee, provided a status report for the IC Engine Work Group. A copy of the materials used in this presentation is included in attachment 8.

The IC Engine Work Group asked for authority to develop a two-phase ICP to gather the data needed to support the ICCR. The Work Group had planned to send out a screening survey, the first phase of the proposed two-phase ICP, on February 1, 1997. After the population of IC engines has been surveyed, the Work Group suggested implementing the second phase, a longer survey to be sent to a representative cross-section of the units identified in phase one.

To coordinate the information collection efforts of the Source Work Groups, the IC Engine Work Group recommended that the Coordinating Committee form an ad-hoc subgroup. This subgroup would be tasked to develop a joint screening survey to identify which facilities have which types and what number of ICCR combustion units. The IC Engine Work Group deemed that a two-phase information collection approach is needed to develop an

accurate representation of the engine population (particularly in the case of small engines, which have few State reporting requirements) and to learn who has source test data. The IC Engine Work Group had already prepared a phase-one, screening survey for engines and offered this survey for the ad-hoc subgroup's review and use. This screening survey was developed with the intention of being sent out under EPA's section 114 authority to ensure a high survey response rate. However, concern was expressed by the Work Group that the owners of smaller engines may find a one-month turnaround of the data difficult.

At the conclusion of the progress report, the IC Engine Work Group made three requests of the Coordinating: 1) approval of the two-phase ICP, 2) permission to send out the phase-one, two-page survey the Work Group has developed, and 3) formation of the ad-hoc subgroup to develop the survey form and coordinate the information collection efforts of the Source Work Groups.

Robert Welch stated that internal combustion engine source testing has shown that ninety percent of HAP emissions come from units rated at 600 horsepower (hp) or greater. Mr. Welch asked if the IC Engine Work Group planned to limit information collection to units rated at greater than 500 hp. Mr. Newsom responded that the Work Group agreed with this concept but was not sure if a size cutoff should be included in the first phase of the survey or implemented during the second phase.

Dick Van Frank questioned use of a size cut-off and suggested that, if some of the smaller engines are in urban areas, they might trigger area source regulations. Mr. Newsom responded that it would be difficult for an engine below 500 hp to trigger an area source regulation. In response to another question, Leslye Fraser stated that section 112 of the Act requires regulation only for major sources but that section 129

has no lower size cut-off. Therefore, the ICCR must consider thoughtfully when restricting information collection to units of certain sizes.

Robert Kaufmann suggested that the screening survey could be supplemented by data collection from trade associations (e.g., API and INGAA). Paul Eisele asked whether the only options for sending a survey were to use EPA section 114 authority or to send a non-EPA, voluntary survey. Leslye Fraser of EPA stated that EPA could send a voluntary survey. However, under the Paperwork Reduction Act, EPA would still be required to get approval from OMB and there would be little guarantee or legal recourse for the information to be collected.

7.2 Stationary Combustion Turbine (Turbine) Work Group

Ted Guth, the Turbine Work Group Stakeholder Co-chair nominee, provided a status report for the Turbine Work Group. A copy of the materials used in this presentation is included in attachment 9.

The Turbine Work Group recommended that, because the Work Group already had good population data for turbines, no screening survey be sent to units in this source category. Instead, the Work Group recommended that trade associations be used to send out an ICR and asked that they be excluded from information collection under EPA's section 114 authority. For the turbine category, companies and trade associations on the ICCR Work Group represent the vast majority of turbines and could collect complete information. However, the Work Group, concerned about duplication of survey efforts, asked for coordination of the data gathering among Source Work Groups. To help facilitate coordinated survey approaches, the Turbine Work Group agreed to conduct information collection according to the ICWI litigation schedule. In addition to these other items, the Work Group asked the Coordinating Committee to consider their proposal to exclude

NSPS from the regulatory development efforts of the ICCR. They believe that an NSPS for criteria pollutants is lower priority than HAP emission standards.

Fred Porter asked whether the Turbine Work Group wanted no use of EPA's section 114 authority at all. Mr. Porter also asked whether EPA would be provided a sheet decoding the names and locations of all facilities for which data are compiled by trade associations. Dr. Guth answered affirmatively to both of these questions.

Alex Johnson expressed concern about the use of trade associations as a sole source of data collection. Dr. Guth responded that the Work Group chose to use trade associations for information collection to increase response rate and to avoid a section 114 questionnaire.

7.3 Boiler Work Group

Jim Stumbar, the interim Work Group representative to the Coordinating Committee, provided a status report for the Boiler Work Group. A copy of the materials used in this presentation is included in attachment 10.

To supplement the current ICCR database, the Work Group recommended the implementation of a two-phase ICP. The group recognized the need for a more complex screening survey for boilers than for some of the other source categories because of the variety in boilers used across industries. The screening survey recommended by the Boiler Work Group was four pages long. The screening survey was designed to focus the second phase of information collection. Both of the proposed information collection phases fit in the ICCR timeline.

The Work Group recommended that an ad-hoc subgroup be formed by the Coordinating Committee to coordinate the screening surveys with other Work Groups. It was the group's majority opinion that voluntary information collection through trade associations be

conducted. Those industries not represented by trade associations could be sampled with an ICCR screening survey sent by the Coordinating Committee. The minority opinion was that a mandatory screening survey should be sent under section 114 authority.

Fred Porter asked whether the majority of the Boiler Work Group wanted no role of EPA's section 114 authority. Mr. Stumbar replied that working outside section 114 authority was the intention of most of the Work Group membership. The Work Group has noted the importance of a persuasive cover letter from the trade associations and the Coordinating Committee to achieve a high survey response rate.

Bill O'Sullivan commented on the lack of a request for matching heat input and output information in part III of the survey. Mr. Stumbar said that collecting both types of information is difficult for many of the smaller units (who will only have one or the other) and that the Work Group decided that this information was better collected in the second phase of the ICP.

The Work Group representative and various Coordinating Committee members also mentioned other issues requiring resolution: the collection of fuel efficiency information, use of design output versus actual output data, development of definitions and a statistical sampling approach, and determination of an appropriate size cut-off.

Dick Van Frank asked how certain categories of boilers, such as boilers at universities, could be included in the survey. Miriam Lev-On responded that the Council of Industrial Boiler Owners (CIBO) has around twenty university members. However, Ms. Lev-On acknowledged that the group needs to address how to send surveys to sources not represented by trade associations. Dick Van Frank also expressed concern that each trade organization use

the same confidence level when surveying their members. Mr. Stumbar replied that the suggested ad-hoc subgroup would be tasked to develop a satisfactory statistical approach to data gathering.

7.4 Incinerator Work Group

Norman Morrow, the interim Work Group representative to the Coordinating Committee, provided a status report for the Incinerator Work Group. A copy of the materials used in this presentation is included in attachment 11.

Mr. Morrow commented that the Work Group still does not have permanent representation from the environmental community nor from some incinerator groups. He also stated that the Work Group has begun discussing the scope of the source category and whether or not uncontained gas (e.g., process gas routed through ducts to a combustion device) falls within the definition of a "solid waste." The Work Group has acknowledged that, if such gas is not a "solid waste" and not subject to regulation under section 129, units that combust gas could be covered under section 112. For now, flares should be considered by the Incinerator Work Group in either case. The Work Group asked for authorization to limit the scope of its information collection as it deems necessary.

The Work Group had discussed data gathering and recommended a two-phase ICP. An unresolved issue that remained was whether all information collection, conducted either by trade organizations or through EPA, should be done under section 114 authority. The Work Group developed a screening survey, the first phase of the recommended ICP, and discussed sending it to more than the 35,000 recipients EPA has anticipated. The increase in the number of recipients was intended to ensure that a large data sample is manifested because many recipients will not have an incinerator. To coordinate information collection among the Source Work Groups, the Incinerator Work Group asked

the Coordinating Committee to form an ad-hoc subgroup to develop a universal ICP.

7.5 Process Heater Work Group

Lee Gilmer, the Work Group Stakeholder Co-chair nominee, provided a status report for the Process Heater Work Group. A copy of the materials used in this presentation is included in attachment 12.

Mr. Gilmer explained that the definition of "process heater" has been refined by the Work Group to include 1) indirect-fired process heaters (i.e., process heaters "from which pollutants are due solely to the direct combustion of fuel and/or waste") and 2) other process heaters. Mr. Gilmer further clarified the refined definition by explaining that an "indirect-fired process heater" is a combustion unit that has virgin combustion exhaust (i.e., exhaust not containing byproducts from the burning or drying of a process material along with fuel). The Work Group has made the distinction in the process heater definition to prioritize information collection and to focus initially on indirect-fired process heaters, which are emission sources that the Work Group agreed should certainly be included in the ICCR.

The Process Heater Work Group reviewed that several trade organizations are committed to voluntary data gathering. The Work Group recommends accepting voluntary information collection efforts through trade associations and sending section 114 questionnaires to industries that are not being surveyed by trade associations. They asked the Coordinating Committee to accept this approach. The Work Group also expressed a scheduling concern that, if the ICCR database is not reviewed prior to the mailout of a section 114 questionnaires, duplicative sampling could occur.

The Process Heater Work Group asked the Coordinating Committee to consider the following requests: to form an ad-hoc

subgroup to ensure coordination and consistency among the ICRs sent by the Source Work Groups; to approve the refined definition of a process heater and the prioritization of information collection according to these definitions; and to recommend to EPA that the refined definition of a process heater be accepted, that voluntary ICRs be supported, that facilities participating in voluntary data gathering efforts not be selected as recipients of a section 114 questionnaire, and that sources not be surveyed more than once.

Ross Vincent asked whether accepting the Work Group's refined definition of process heater (i.e., "indirect-fired process heater" and "other process heater") and the prioritization of information collection will exclude a group of process heaters from being considered. Mr. Gilmer responded that "other process heaters" would not be surveyed in the first round of information collection. Surveys for "other process heaters" would be sent at a later date after the Work Group has a chance to consider which units should be included in the ICCR. Fred Porter explained that several process heaters in the "other process heater" category will be regulated under other MACT standards. In an attempt to prevent duplicative regulation of sources, the Work Group decided to investigate which of the "other process heaters" are being covered under other standards. Mr. Porter also explained that EPA agrees with the need to prioritize data gathering in order to focus information collection and spend ICCR resources wisely. Some Work Group members have expressed concern that categories of process heaters not be dismissed without having information to determine whether they are significant sources of emissions. These concerns will be addressed when considering which of the "other process heaters" should be considered as a part of the ICCR. Bob Palzer

suggested that dates be chosen by which the "other process heaters" must be considered.

Rich Anderson suggested that EPA reiterate the statutory language and indicate what units must be covered in the ICCR. Mr. Anderson asked the Process Heater Work Group what the impasse in their information collection is. He suggested that, if the "other process heaters" are in the source category slated for the ICCR, the Work Group should try to be practical and upfront with their data collection efforts. Mr. Gilmer and several other members of the Process Heater Work Group responded to this question. Lawrence Otwell commented that the Process Heater Work Group is considering a huge and diverse list of SCCs. Process heaters must be examined according to the mixture of fuels with process materials burned, the HAPs present in the exhaust, as well as control techniques and options. Investigating these characteristics may show that process heaters should be considered based on the process or process material employed rather than by the fuel burned. In many cases, process heaters are being considered by other MACT standards which focus on the industrial process. This issue must be considered to avoid duplicative regulation. John Paul commented that direct-fired heat exchangers (e.g., contaminated soil combustors, manure dryers, cement kilns) are difficult for States to regulate. He emphasized that, if the units in the "other process heater" category are not included in the ICCR and regulations are not developed by EPA, State and local governments will be left the responsibility to develop standards for them.

Mr. Gilmer said that, among other issues, the Work Group has not reached consensus on a size threshold for certain process heaters. Andy Bodnarik explained the need for definitions of the combustor types to accompany the questionnaires sent and stated that States have wrestled with size cut-off issues, which the

Work Group must now consider. Some States have gathered information on the smaller sources and begun permitting them (e.g., smaller units being permitted for NO_X emissions).

7.6 General Comments on the Source Work Group Reports

Marvin Schorr commented that the locations of most ICCR turbines are known and that there is no need to consider a two-tiered approach like the one that other Work Groups are proposing. Mr. Schorr suggested that the significant differences among the Work Group's ICPs be reconciled by an ad-hoc subgroup. Norman Morrow commented that, in addition to process heater issues alone, sorting boilers and incinerators versus process heaters may not be possible before an ICR is sent. He suggested that a carefully developed set of questions be developed to help classify units after information collection has been conducted. This issues could also be considered by an ad-hoc subgroup.

7.7 Economic Analysis Work Group

Paul Eisele, a Coordinating Committee members serving as the interim Work Group representative, provided a status report for the Economic Analysis Work Group. A copy of the materials used in this presentation is included in attachment 13.

Mr. Eisele pointed out that a lot of the information needed to perform the listed economic analyses (see table 1 of the presentation material) is company-specific and cannot be supplied by vendors. He also emphasized that characterization of the universe is a key issue and that small business characterization is also important. The second phase of information collection proposed by the Source Work Groups (i.e., the full-length questionnaire) should consider markets and collect economic information. The Economic Analysis Work Group asked that the confidentiality issues regarding collection of economic data be addressed in a coordinated fashion.

Mr. Eisele mentioned that a workshop about EPA economic modeling methods will be held at the March Coordinating Committee meeting in Chicago. The meeting has been scheduled for the morning of March 18. Fred Porter commented that several of the other Work Groups have already scheduled meetings at this same time. He suggested videotaping the workshop because of the Work Group meeting conflicts.

Ross Vincent commented that most of the economic analyses being performed are cost analyses and not the broad economic analyses the ICCR should be considering. He emphasized the need to look at economic incentives and also be sure to collect the necessary data to perform analyses about them. The Work Group should consider the range of regulatory alternatives and the way to asses these trade-offs. Dick Van Frank emphasized that all economic information should be identified and included in the ICP upfront.

Alex Johnson commended the inclusion of an environmental justice analysis. He encouraged the Work Group to take an active role in ensuring that their data needs are met. For example, Mr. Johnson suggested that the Work Group ensure that small units, which may be clustered in urban areas with environmental justice concerns, are not prematurely excluded from the ICCR. Greg Adams asked EPA to provide a brief update on section 112(k) urban air toxics to understand the direction that effort is taking.

Miriam Lev-On expressed concern about the collection of clearly competitive and confidential data for the economic analysis. She encouraged the Economic Analysis Work Group to investigate how to collect this type of data. Bill O'Sullivan suggested that this issue should also be reconciled by an ad-hoc subgroup.

7.8 Testing and Monitoring Protocol Work Group

Dennis Knisley, the Work Group Stakeholder Co-chair nominee, provided a status report for the Testing and Monitoring Protocol Work Group. A copy of the materials used in this presentation is included in attachment 14.

Mr. Knisley commented that the Work Group has set up protocols for interaction with the Source Work Groups, including representatives who will interact with each of them. The Work Group has begun developing guidance documents to direct their activities to meet their short-term and longer-term goals.

Robert Kaufmann asked whether the list of pollutant analysis techniques that the Work Group is developing will be comparable to the test methods used in the STIRS reports. Mr. Knisely said that the Work Group has not had an opportunity to review the STIRS reports yet and will address this issue in the guidance documents being developed. There is no timeline for the completion of these documents yet. Mr. Knisely asked the Coordinating Committee for a timeframe in which the Work Group should prepare the guidance documents. Committee members commented that the priority of documents #3 and 4 (see attachment 14) should be elevated. These documents will be helpful for review of the STIRS data in the March/April timeframe.

Norman Morrow suggested that the Work Group also consider correlating stack testing activities with data that can be estimated based on fuel analysis or fuel chemistry. If analysis of the combustion feed stream can be substituted for stack testing, Mr. Morrow suggested identifying and separating units with this option from those which must undergo stack testing.

7.9 Coordinating Committee Decisions

After hearing the reports from each of the Work Groups, the Coordinating Committee decided that further consideration of a subgroup was needed. A small group of Coordinating Committee and

Work Group members met on the evening of January 8, 1997, and reported back to the Coordinating Committee with initial recommendations on January 9. The discussion of the small group's progress is the subject of section 8.1 of this document.

8.0 INFORMATION COLLECTION

To address the needs of information collection and to address the requests and recommendations of the Work Groups, the overall ICP was discussed and is summarized in the following sections.

8.1 Small Group Report

Some members of the Coordinating Committee and Work Groups convened on the evening of January 8, 1997, to establish goals and define the scope of work for an ad-hoc Information Collection Subgroup. On January 9 Bob Palzer, Jim Stumbar, and John Ogle, three members of the small group, reported to the Coordinating Committee with the following goal for the subgroup: to assist the Source Work Groups and trade associations in the collection of consistent and complete data for all fields in the ICCR database regardless of how it is collected and who collects it. The subgroup is to meet this goal by completing the following tasks:

- Reviewing surveys developed by all Source Work Groups and integrating the common elements (e.g., consistent facility information) while retaining the unique aspects;
- Reviewing trade association surveys to determine whether they are consistent with the Source Work Group surveys; and
- Considering the format of data collection surveys.

In addition, the subgroup will discuss how to survey SIC categories not covered by trade associations. Potential issues the subgroup should also consider include the following:

- mandatory versus voluntary information collection,

- the number of sources required to ensure a representative sample, and

- the selection of ICR recipients.

Jim Stumbar explained that the principal task for the subgroup is to finalize the printed surveys (i.e., the phase-one questionnaire) that will be mailed out. He emphasized the need to pay attention to the placement and timing of trade organization information collection plans. The small group said that the subgroup would do as much as possible within the time available to provide trade organizations with a complete list of questions that need to be answered during information collection. Bob Palzer added that the ultimate product from data collection must be consistent data with an equivalent level of QA. The subgroup will try to ensure that duplicative surveys are not sent out but must foremost ensure that data collected by different groups are comparable.

Ross Vincent asked whether the subgroup will limit the scope of the data collection by proposing size thresholds and whether the goals can be accomplished in the proposed timeframe. Jim Stumbar responded that limits on data collection are controversial and not the charge of the subgroup; data collection limits should be decided by the Source Work Groups. John Ogle admitted that the scope of task proposed represents a significant amount of work but that the trade organizations are willing to commit a concentrated effort to achieve the goals for the coordinated ICP.

Miriam Lev-On suggested that the subgroup prepare an ICCR fact sheet to accompany surveys to put the data collection in context for the questionnaire recipients.

8.2 Formation of the Ad-hoc Information Collection Subgroup

After some discussion the Coordinating Committee decided to form a Information Collection Subgroup to investigate and

coordinate the ICP. The subgroup was formed with the goal and responsibilities presented in section 8.1 and consists of the members listed in table

Table 3. Ad-Hoc Information Collection Subgroup Membership List

Name	Principal Membership	Stakeholder Group
Greg Adams	Coordinating Committee	Local government
Amanda Agnew	IC Engines Work Group	EPA
Sam Allen	Turbine Work Group	Trade association (CMA), large business
Sam Clowney	IC Engines Work Group	Trade association (AGA, INGAA), large business
John DeRuyter	Boiler Work Group	Large business
Steve Gerritson	Coordinating Committee	State government
Lee Gilmer	Process Heater Work Group	Trade association (API), large business
Norman Morrow	Incinerator Work Group	Trade association (CMA), large business
Bob Palzer	Coordinating Committee	Environmental community
Fred Porter	Coordinating Committee	EPA
John Ogle	Process Heater Work Group	Trade association (CMA), large business
Marvin Schorr	Turbine work Group, Coordinating Committee	Trade association (CIBO), large business
Mike Soots	Boiler Work Group	Small business
Joe Tessitore	Incinerator Work Group	Trade association, small business
Dick Van Frank	Coordinating Committee	Environmental community

Ruth Mead of ERG and Brahim Richani of Alpha Gamma, EPA contractors, will also participate to provide support.

3. Two representatives from each Source Work Group were chosen to serve on the subgroup. Balanced representation was achieved through participation by members of the Coordinating Committee.

The subgroup will hold its first meeting via teleconference the week of January 13 and hold a meeting in Research Triangle Park the week of January 20. The subgroup was empowered to make decisions to carry out the tasks outline in section 8.1 and was charged with completing these tasks by February 15.

8.3 Data Collection Concerns Expressed

Steve Gerritson expressed concern that the whole multi-year regulatory development project is dependent on making decisions in such a short period of time. Mr. Gerritson pointed out that the Work Groups and Coordinating Committee need to know the size of the emission source population and its representative characteristics before mailing out full-length questionnaires capable of collecting the data needed for regulatory development. He suggested that the Coordinating Committee begin considering an alternative plan for collecting information in case use of a survey produces a low response and little useful data.

Jeff Smith asked how the Coordinating Committee can be confident that data from the best controlled facilities have been collected through voluntary data gathering if the response rate

is low. Mr. Smith recognized that anticipating a 100 percent response rate is not realistic and wanted to ensure that data necessary to draw the desired statistical inferences is collected. Mr. Smith expressed concern that the collection of data through trade organizations may be skewed toward either dirty or clean facilities and could effect the setting of the MACT floor. Fred Porter responded that the Incinerator Work Group was concerned that the EPA approach to selection of 35,000 ICR recipients may not be large enough to yield a statistical sample. The first phase of information collection is designed to target facilities and determine how many sources there are with certain levels of emission control. These data can be used to observe whether the units are in States with the stricter emission control regulations. State regulations and other sources of information could be used to identify MACT floor controls.

Lee Gilmer emphasized that trade organizations, such as API, have invested a great deal of time and effort into developing a survey and preparing for data collection. He asked that the Coordinating Committee not regard voluntary information collection efforts casually. Mr. Gilmer addressed Mr. Smith's concerns by explaining that API has done a lot of statistical planning to ensure collection of proper data for determining the MACT floor. Greg Adams pointed out that the trade organizations will perform QA on the data collected and improve the quality of the data set. This additional step lends further credibility to the voluntary information collection efforts.

Robert Kaufmann suggested that trade associations be given flexibility to word questionnaires as they see fit as long as the needed data elements are requested. Mr. Kaufmann also suggested that trade associations will obtain a bigger sample of the industry than the EPA's effort would alone and that trade

associations can work with their membership to achieve a higher response rate. In response to a question, Fred Porter explained that EPA is willing to alter its questionnaire as long as OMB permits. He suggested that, if the section 114 ICR needs to be changed, industry representatives talk with OMB to indicate that they agree with the changes and the associated level of burden.

Alison Ling stated the Department of Defense's (DOD's) willingness to support the subgroup. DOD will work to collect data from their agency and as many other government agencies as possible.

Leslye Fraser stated that the ICWI litigants have asked that trade associations' cover letters indicate that the voluntary information collection efforts are being conducted in lieu of an EPA section 114 questionnaire and that, if a good response rate is not achieved, section 114 questionnaires will be mailed out. Rich Anderson remarked that the ICCR should support the voluntary information collection efforts as a new way of conducting regulatory development activities. He emphasized that the information collection should not be driven by ICWI concerns and encouraged EPA to bring its information collection experience to the subgroup.

In response to comments made about the hurriedness with which the ICP is being developed, several members of the Coordinating Committee asked EPA to seek an extension from the ICWI litigants so that the ICCR ICP can be fully developed before proceeding with data gathering efforts. Leslye Fraser reiterated that the ICWI litigants have already provided a one-month extension for the ICCR and expect EPA to present a definitive ICP at their meeting at the end of January. EPA is expected to demonstrate why the ICCR ICP will collect better or more comprehensive data than mailing out section 114 questionnaires. Ms. Fraser pointed out that the end result of information

collection is more important than the starting date. Demonstrating that information can be collected and compiled faster is a powerful argument to present to the litigants for accepting the ICCR plan for data gathering. Several Coordinating Committee members agreed that information collection efforts conducted through trade organizations could result in a high response rate and faster compilation of data.

Ross Vincent suggested inviting the litigants to observe what the ICCR process is doing. Some of the representatives from the environmental community agreed to discuss the progress of the ICCR. The representative will try to persuade the litigants to allow the ICCR data collection to proceed without mandating EPA's mailout of section 114 questionnaires so soon.

Jed Mandel asked that, if events develop that compel EPA to send out their section 114 questionnaire by the February 15 deadline from the ICWI litigation, EPA inform the Coordinating Committee to allow the voluntary information collection efforts to proceed on a parallel schedule. Fred Porter agreed to keep the Coordinating Committee apprised of the status of the ICWI litigation via email.

8.4 Narrowing the Scope of Information Collection

Greg Adams asked whether municipal governments were included in the 8 million businesses estimated by EPA. Mr. Porter stated that it is EPA's intent to include municipalities and agreed to check EPA's SIC groups for SICs for municipalities. Another Coordinating Committee member asked what the *de minimis* emission level is for source consideration and why municipalities, which are usually below a size cut-off for regulation, would be included within the scope of the ICCR. Fred Porter responded that no size threshold has been established yet and that this topic is best left for discussion at a later time.

Miriam Lev-On suggested that information collection focus on units that are clearly "industrial" and that appropriate size cut-offs for data gathering be selected. Fred Porter commented that the listed source categories being addressed by the ICCR include industrial, commercial, and institutional sources. Alex Johnson suggested that the exclusion of units by size, coverage under other MACT standards, or other criteria should be done by the Source Work Groups and need not be finished before the February 15 deadline. After initial data have been collected, the emission sources that will not be regulated can be examined and a rationale for their exclusion can been developed.

Fred Porter commented that the focus of the ICCR is on development of a national emission standard and that it will not be possible to address specific local or urban issues. These issues are best left to State or local air pollution control agencies. Bob Palzer encouraged the Coordinating Committee and Work Groups to consider all units initially and mentioned that certain States will not regulate units more stringently than EPA. He emphasized that the Coordinating Committee must consider a wide range of data during information collection.

The Coordinating Committee decided that there is a need to limit the scope of information collection as a means of focusing the data gathering task. However, the committee members expressed reluctance to choose an arbitrary size cut-off without collecting data first. Although smaller units may not receive full-length questionnaires, several members thought that they should still be included in the first phase of the ICP. The committee noted that the quandary lies between avoiding excess burden in information collection and not collecting enough data to aid in regulatory development. The Coordinating Committee recognized that including certain units that meet the ICCR source definitions (e.g., home water heaters, bunsen burners, etc.) in

information collection efforts would be ridiculous and is not the intention of the ICCR. Therefore, the committee charged the Source Work Groups with establishing a information collection threshold for their ICCR source categories. Each Source Work Group was tasked with identifying units that meet their source category's definition but are clearly not within the scope of the ICCR. The Source Work Groups should provide this input to the Information Collection Subgroup early in February. Each Source Work Group must also provide size cut-offs with supporting rationale to the Coordinating Committee at the meeting on March 19 and 20, 1997. The intent of these cut-offs is for purposes of the first phase of information collection. The Coordinating Committee decided that, at this point, establishing regulatory size cut-offs would be premature.

8.5 Proposed Plan

After the discussion summarized in sections 8.1 through 8.4, the Coordinating Committee agreed to the following plan:

- the ad-hoc Information Collection Subgroup should accomplish its charge as specified in section 8.1;
- the Source Work Groups should make appropriate recommendations to the Coordinating Committee on the scope of their source categories (with supporting rationale) by the next Coordinating Committee meeting; and
- the Coordinating Committee members should work to accommodate the tasks for the subgroup and Work Groups within the schedule set by the ICWI litigation.

The proposed plan does not meet the February 15 deadline. The hope expressed is that the ICWI litigants will agree to another extension to allow time for more complete development and implementation of the ICCR ICP.

9.0 DISCUSSION OF THE ICCR DOCUMENT

At the October 1 and 2, 1996, Coordinating Committee meeting, the committee discussed the ICCR document. At the conclusion of a the October meeting, a subcommittee was formed to revise the ICCR document based on the discussion at the meeting as well as review and recommend changes to areas of the document that were not discussed. At this meeting, the subcommittee reported back to the entire Coordinating Committee with its recommendations. Background handouts about the document have been included in attachment 15. A copy of the revised ICCR document is included in attachment 16.

Regarding the ICCR document, the Coordinating Committee approved the subcommittee's recommendations on "consensus" and the meaning of "to represent".

The Coordinating Committee reached conceptual agreement on the changes to the text describing the limits on Coordinating Committee and Work Group size and participation by non-members. The language in the text will be changed so that the co-chairs have only presumptive decision-making authority about who may participate in a meeting. The full membership of the Coordinating Committee will consider a recommendation from the co-chairs and decide at the meeting whether to allow a non-member to sit at the table. It is expected that the committee will generally agree with the co-chairs' recommendations.

The Coordinating Committee reached conceptual agreement on the changes to the text describing the protocol for member alternates. The language in the text will be changed to clarify that Coordinating Committee or Work Group member alternates need to be approved only once, not for every meeting. The text will also be changed to reflect that a Work Group emergency alternate is a provisional and temporary alternate.

The Coordinating Committee conceptually agreed to the changes in the text describing the elevation of issues when

consensus is not reached. The text will be changed so that the co-chairs have presumptive authority to raise an issue and not take away the ability to continue discussing a topic.

The Coordinating Committee reached conceptual agreement on the changes in the text describing the responsibilities of the stakeholder co-chairs, and modified it to be consistent with the preceding discussion.

The Coordinating Committee did not reach agreement on the text describing confidential data. The handling of test data that have already been compiled by a trade association was discussed. When the data were collected, the trade association had entered into a confidentiality agreement to keep the identity of the sources confidential. Fred Porter and Leslye Fraser explained that EPA's past position has been that, because EPA is a public agency and the ICCR is a public rulemaking, data which cannot be traced to their source cannot be used in setting a numerical standard. In general, the raw data and its associated facility information must be provided to EPA before being used in the public rulemaking. Both the trade association and EPA representatives expressed the desire to try to find a way by which the previously collected data could be used in some capacity. Fred Porter and Leslye Fraser agreed to investigate EPA's position further. To aid this task, Alex Johnson and representatives of GRI and API will discuss potential uses of emission data collected by trade associations under confidentiality agreements and the associated confidentiality issues.

To improve the section of the ICCR document describing the handling of confidential data, the subcommittee will further examine the text on data confidentiality and provide refinements to the Coordinating Committee at the next meeting. Coordinating

Committee members were asked to email any additional wording suggestions on the ICCR document to Fred Porter.

10.0 PUBLIC COMMENTS

Jim Seebold of Chevron Research and Technology and a member of the Process Heater Work Group expressed discomfort with the proposed ICCR timeline. However, Mr. Seebold stated that the schedule makes sense and that, in the time allotted, information could be collected on a majority of the process heaters which consume a majority of the industrial fuels. He suggested that the results of previous information collection activities could be incorporated into current data gathering efforts.

Jim McCarthy of the Gas Research Institute (GRI) commented that GRI has spent $4 million on emission testing of combustion sources in the last 3 years. He questioned EPA's expenditure of money on some information collection activities, such as a review of the STIRS database reports, that might not produce worthwhile data when there could be more useful data available from other sources.

Sam Clowney of Tenneco Energy encouraged the Coordinating Committee and the Information Collection Subgroup to use the same forms for all data gathering efforts.

11.0 DISCUSSION OF NEXT MEETINGS

The Coordinating Committee will next meet on March 19 and 20, 1997. The Coordinating Committee meetings will be held at the Hotel Intercontinental in Chicago, Illinois.

The Coordinating Committee chose three additional meeting dates in 1997: May 21 and 22, July 23 and 24, and September 17 and 18. The committee decided to hold the meetings in May and September in the Research Triangle Park, North Carolina, area and to hold the July meeting at a location on the West Coast.

The focus of the next meeting will be

- considering the ICP recommendations of the information collection subgroup and providing recommendations to EPA on the ICP, and

- considering Source Work Group recommendations on the scope of each category for information collection purposes and providing guidance and recommendations on scope of the ICP.

Agenda items and requests from the Work Groups not addressed during this meeting were also designated as agenda items for the next Coordinating Committee meeting. The agenda will include the following items:

- collection, handling, and use of confidential information.

- consideration of excluding the development of NSPS from the scope of work in the ICCR;

- consideration of the refined definition of a process heater; and

- review procedures for the ICCR database containing the merged AIRS, OTAG, State, and STIRS data.

In addition, the following topics may be included as agenda items at future meetings:

- EPA presentation on innovative technologies for pollution abatement; and

- EPA update on the section 112(k) urban air toxics program.

Attachment 1: Meeting Agenda and Meeting Goals

Attachment 2: Attendance Lists

Attachment 3: EPA Recommendations for ICCR Membership

Attachment 4: Airfare Discount Survey

Attachment 5: EPA Database and Information Collection

Attachment 6: ICCR Information Collection Timeline

Attachment 7: EPA ICCR Budget and Resources for 1997

Attachment 8: IC Engine Work Group Status Report

Attachment 9: Turbine Work Group Status Report

Attachment 10: Boiler Work Group Status Report

Attachment 11: Incinerator Work Group Status Report

Attachment 12: Process Heater Work Group Status Report

Attachment 13: Economic Analysis Work Group Status Report

Attachment 14: Testing and Monitoring Protocol Work Group Status Report

Attachment 15: Background About the ICCR Document

Attachment 16: ICCR Document

“These minutes represent an accurate description of matters discussed and conclusions reached and include a copy of all reports received, issued, or approved at the January 8-9, 1997, meeting of the Industrial Combustion Coordinated Rulemaking Coordinating Committee Meeting. Fred Porter.”